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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,101	09/04/2001	Hiroshi Saito	040894-5703	1751
9629	7590	12/15/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			JACKSON, JAKIEDA R	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/944,101	SAITO, HIROSHI	
	Examiner	Art Unit	
	Jakieda R Jackson	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 8/26/04.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8, 10 and 11 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8, 10 and 11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the Office Action mailed May 5, 2004, applicant submitted an amendment filed on August 26, 2004, in which the applicant traversed and requested reconsideration with respect to **claims 1, 8 and 10-11**.

Response to Arguments

2. Applicant argues that neither Hirayama nor Kono teach or suggest at least the features of a desired dictionary having a high frequency of use being selected, extracted and stored as a list of queuing words at a higher-order hierarchy set beforehand together with a normal dictionary extracted by the extractor. Since there is no comparison as to what is considered high frequency, term "high frequency" is interpreted with the broadest possible meaning. That is, if the dictionary is used each time the device is operated, that can be considered high frequency, which is taught by Hirayama. Hirayama teaches that when the power to the navigation apparatus is turned on, the basic dictionary is opened (column 1, lines 29-31). Also, Hirayama teaches that the the basic dictionary is a dictionary commonly used (column 7, lines 23-26).

Therefore, applicant's arguments filed August 26, 2004 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. **Claims 1-8 and 10-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Hirayama et al. (EP 1 083 405 A1), hereinafter referenced as Hirayama.**

Regarding **claim 1**, Hirayama discloses a speech recognition unit and method (figure 1, element 200 and column 5, lines 15-21) comprising:

a plurality of speech recognition dictionaries mutually hierarchically related (figures 2A-2C; column 7, lines 21-23 and 49-51);

an extractor that extracts a desired dictionary (given category; column 8, lines 43-51), the frequency of use of which is high (column 7, lines 23-26 with column 1, lines 29-31), out of said speech recognition dictionaries as a list of queuing words (column 8, lines 43-51);

a selector (data selection device) that selects a desired dictionary (certain division block) out of the speech recognition dictionaries (column 2, lines 48-54 and column 8, lines 43-51);

a storage (memory) that stores the desired dictionary selected by said selector as a list of queuing words at a higher-order hierarchy (figures 2A-C) than a hierarchy

set beforehand together with the normal dictionary extracted by said extractor (column 2, lines 42-48 with column 8, lines 43-51); and

a recognizer that recognizes input speech (recognition software program) by comparing the input speech and the list of queuing words stored in said storage (column 6, lines 39-54).

Regarding **claim 2**, Hirayama discloses a speech recognition unit and method wherein said speech recognition dictionaries comprises:

a classification dictionary storing the classification names (classification categories) of institutions (figures 2A-2C; column 14, lines 25-53); and
an institution dictionary storing the names of institutions (names of ski resorts) which belong to respective classification of institutions (figures 2A-2C; column 7, lines 21-41).

Regarding **claim 3**, Hirayama discloses a speech recognition unit wherein said speech recognition dictionaries comprises:

an area dictionary storing area names (figures 8A-C; column 13, lines 21-38); and

an institution dictionary storing the names of institutions existing in any area of different areas (figures 8A-C; entire country; column 7, lines 49-51 and column 13, lines 21-38).

Regarding **claims 4 and 5**, Hirayama discloses a speech recognition unit and method wherein said selector selects the institution dictionary as a desired dictionary (figures 2A-C; column 7, lines 21-41 and column 8, lines 10-19).

Regarding **claims 6 and 7**, Hirayama discloses a speech recognition unit wherein said extractor extracts a dictionary at a low-order hierarchy of recognized speech as queuing words (column 7, lines 10-20); and

wherein said extractor extracts a dictionary which belongs to a dictionary selected by said selector and which is located at a low-order hierarchy of the recognized speech extracts as queuing words (figures 2A-C; column 7, lines 30-41).

Regarding **claim 8**, Hirayama discloses a speech recognition unit and method for a speech recognition unit having a plurality of speech recognition dictionaries (column 7, lines 21-23 and ski resorts, golf courses etc.) mutually hierarchically related (figures 2A-C), said method comprising the steps of:

preparing dictionaries (dictionaries prepared) classified according to at least one narrowing-down condition set by a user beforehand (column 8, lines 10-19) together with a dictionary for narrowing down at a high-order hierarchy as objects of recognition (column 2, lines 36-42 with column 10, lines 15-39); and

recognizing input speech (column 5, line 58 – column 6, line 7) by using the dictionaries classified according to at least one the narrowing-down condition set by a user beforehand (column 8, lines 10-19) and the dictionary for narrowing down at a high-order hierarchy (column 2, lines 36-42 with column 10, lines 15-39),

wherein the dictionaries classified according to at least one narrowing-down condition is set by a user beforehand (column 8, lines 10-19) are dictionaries the frequency of use of which is high (column 7, lines 23-26 with column 1, lines 29-31).

Regarding **claim 10**, it is interpreted and rejected for the same reasons as set forth in the combination of **claims 1 and 6**.

Regarding **claim 11**, it is interpreted and rejected for the same reasons as set forth in **claim 10**.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 703.305.5593. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703. 305.4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRJ
December 9, 2004



DAVID L. OMETZ
PRIMARY EXAMINER